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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING




MICHAEL P. FLANAGAN
SUPERINTENDENT OF
PUBLIC INSTRUCTION

October 29, 2007

Memorandum

TO: State Board of Education

FROM: Michael P. Flanagan, Chairman 

SUBJECT: Report on Administrative Rule Waivers

At its June 19, 1996, meeting the State Board of Education approved the process for waivers of Administrative Rules. Section 1281(3) of The Revised School Code of 1996 took effect on July 1, 1996. This section provides for a limited time waiver of a State Board or Department rule to a school district, public school academy, university school, or intermediate school district for the purpose of serving the intent of the rule in a more effective, efficient, or economical manner or to stimulate improved pupil performance in Michigan schools.

The approved process includes: (1) the ability to file an independent or joint application with responsibility for oversight at each participating local board of education; (2) the necessity to complete a separate application for each rule for which a waiver is being requested; (3) a description of how the district will address the intent of the rule/statute in a more effective, efficient, or economical manner or how the waiver will be implemented to stimulate improved pupil performance; (4) a description of who and how interested parties were notified and involved in the application process; e.g., teachers, parents, community, others; and (5) a plan for addressing issues of local accountability and how the applicant will document that the waiver continues to meet the criteria in the application, does not compromise equal opportunities for learning, and is not detrimental to the educational interests of any pupils, as required by the Act.

Attachment A provides information on waivers approved by the Superintendent since October 9, 2007, based on reviews and recommendations of appropriate Department staff and the internal waiver review committee.

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#0945-07 OSE/EIS Gratiot-Isabella Regional Education Service District

Exemptions: N/A

Administrative Rule: 340.1742(a) – Programs for students with hearing impairment

Waiver Synopsis:

Increase the allowable number of students enrolled in the hearing impaired preschool through second grade to ten.

District Rationale:

- Gratiot-Isabella Regional Education Service District (RES D) runs a combination preschool and early elementary, kindergarten through second grade, center-based hearing impaired (HI) classroom at Carrie Knause Elementary School in St. Louis.
- There are five preschool students and three kindergarten through second grade students in the program; preschool students attend for two and a half hours daily in the afternoon; the other students have an individualized education program calling for between one and three hours daily in the classroom for the HI.
- In addition to the teacher of the HI, there are currently three paraprofessionals who provide communication assistance. Increasing the number of students to ten will allow the Gratiot-Isabella RESD to serve the needs of all the preschool students who are HI in an economical and efficient manner without negatively impacting services to the kindergarten through second grade students who are HI.
- Additional paraprofessional communication assistance will be added, if necessary, to meet the individual needs of students assigned to the program.
- Input for teachers, parents of students with HI, and the Parent Advisory Committee were sought regarding the waiver request.
- Input from the stakeholders will be sought annually to assure that the needs of all the students continue to be met.

Action:

Approve, noting that the number of students in the classroom at one time shall not exceed seven.

Recommended waiver period:

Department approval through June 30, 2010